

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

HAZEL GRIFFITH,)	CASE NO. 1:04CV238
)	
Plaintiff,)	JUDGE: SANDRA S. BECKWITH
)	
vs.)	MAGISTRATE JUDGE: BLACK
)	
JAVITCH, BLOCK & RATHBONE,)	
LLP, et al.,)	
)	
Defendants.)	

MOTION TO STRIKE

Now come Defendants Javitch, Block and Rathbone, LLP (JB&R) and John Frank, by and through undersigned counsel, and hereby move this honorable court to strike Plaintiff's Motion to Consolidate, filed herein on November 1, 2004 (Doc.No. 20), for the reason that this Court, in its order of July 21, 2004, Docket No. 19, administratively closed this case, indicating in the order, that the "parties are granted leave to move to reinstate the case at such time in the future as the parties deem appropriate."

To date, Plaintiff has not moved to reinstate this case; until Plaintiff does so, this court should not entertain new matters (or pass on matters pending at the time this action was closed – see Doc. No. 14).

Respectfully Submitted,

/s/ Michael D. Slodov
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PROOF OF SERVICE

I hereby certify that on November 9, 2004, a copy of the foregoing was filed electronically in accordance with the Court's Electronic Filing Guidelines. Notice of this filing will be sent to all parties by operation of the court's electronic filing system. Parties may access this filing through the court's system.

/s/Michael D. Slodov
Michael D. Slodov, SCR #0051678